

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

| | | |
|------------------------|---|-----------|
| DONALD L. CRAGO, |) | |
| |) | |
| Plaintiff, |) | 8:08CV482 |
| |) | |
| v. |) | |
| |) | |
| UNION PACIFIC RAILROAD |) | ORDER |
| COMPANY, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court on defendant's motion to change place of trial (Filing No. 65). The Local Rules provide that in cases of conflicting requests for place of trial, "the judge shall give consideration to the convenience of litigants, witnesses and counsel." NELR 40.1(a)(2). The Court has reviewed the material filed in support of and in opposition to said motion and finds that plaintiff's request for jury trial in Omaha, Nebraska, should be granted. Accordingly,

IT IS ORDERED that defendant's motion is denied; Omaha, Nebraska, is designated as the place of trial for this action.

DATED this 5th day of March, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court